

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

BRIAN LORICK, CARLUS ANDERSON,)	CIVIL ACTION NO.:
HEIRBRANE FOSTER, SHANTREZ)	2:17-cv-02585-MGL-MGB
ROBERTSON, DEWAYNE ANDERSON,)	
CHARLES ASMER, RALPH AVANT, JORDON)	
AYONG, LEON BARNESS, JAMES BECKMAN,)	
DEMETRIUS BENNETT, JAMES BILLIE,)	
LEON BLACKMON, CHARLES BRANTLEY,)	
JOSEPH BRIDGES, EMONTEE BROOKS,)	
GREGORY BROOKS, JOSHUA BROWN,)	
MITWAIN BROWN, HARLCART CARTER,)	
TERRANCE CARTER, LARA CASTLEBERRY,)	
MARCO CASTRO, JULUIS CHANEY,)	
ANTHONY COE, BRANDON COLEMAN,)	
STEPHEN CRAFT, WILLIAM CUTLEY, PAUL)	
CUSHMAN, DONNELL DAVIS, THOMAS)	
DAVIS, JOHNNY DICKERSON, MICHAEL)	
DICKERSON, CHRIS DOAR, ANTHONY)	
DOCTOR, WILLIE DOILEY, JAMES ELLEDGE,)	
RICKY ESAW, COTTRELL FLUDD, JOSEPH)	
FRANK, CEDRIC FRANKLIN, JOHNNIE)	
FRAZIER, JON GIBBS, JOSHUA GOHR,)	
DANIEL GRAVES, DARRELL GREEN,)	
SHAWN GREEN, JIMMY GREEN, ALPHONSO)	
GUIDER, DANIEL HAMMOND, SAM)	
HARRINGTON, TERRANCE HARRIS,)	
WARREN HARRIS, JOHN HART, CURTIS)	
HILL, SHAN HILL, ROBERT HOFFMAN,)	
JUWON HOLMES, GERALD HOWELL,)	
CLYDE HUNT, NATHANIEL HUNTER,)	
CURTIS JACKSON, MARK JAMES,)	
DOMINIQUE Q. JENKINS, CHRIS JOHNSON,)	
ROBERT D. JOHNSON, TIMOTHY M.)	
JOHNSTON, JR., GEORGE JONES, JAMES)	
KICK, ANGELA KNIGHT, MYKELL LERCH,)	
DEBORAH LESLIE, KENYATTA LINDSEY,)	
GYLIAN LONG, VANTRONE MACK,)	
TREADWAY MANNING, JACOB MARTIN,)	
BRADLEY MASON, JEREMY K. MATTHEWS,)	
DARRELL MCCLAM, THERON MCCRAY,)	
JARED MCCULLOUGH, DAVID MCDONALD,)	
GEORGE McDOWELL, ANTONIO)	

ORDER

MCFADDEN, JOHN MCFATTER, JR., DWAYNE)
MCGOWAN, ROBERT MELLETTE, SCOTT)
MIMS, RODNEY MOUZON, TROY NICHOLS,)
JOSE NOLAN, JAMEY OSBOURNE, JOSEPH)
PECCHIA, KENNETH PELHAM, PARRISH)
PHILLIPS, CARLOS PUAC, ANTHONY)
RICHARDSON, TRAVIS RILEY, DARNELL)
RILEY, HENRY ROBINSON, MELVIN)
ROGERS, RYAN ROSEN, EDDIE SANDERS,)
WAYNE SCUPP, KEVIN SEARS, STEPHAN)
SEAY, GARY SNOW, MATTHEW SQUIRE,)
DERRECK STALLINGS, TOBIAS STUMP,)
KEVIN THAMES, DEMETRIUS THOMAS,)
STEVIOUS THOMPSON, TRACY TODD,)
GABRIELA VALLEJO, RODNEY WALTERS,)
NORMAN WIGHTMAN, MARION WILKES,)
DEONTRE WILLIAMS, NICHOLAS S.)
WILLIAMS, BRANDON WINGARD, TYRONE)
WISE, and MICHAEL YOUNG,)
)
Plaintiffs,)
)
-versus-)
)
A'VIANDS, LLC,)
)
Defendant.)
)

On May 14, 2019, the parties attended a status conference regarding the outstanding conditions to complete settlement of this case. Plaintiffs in this case were all alleged to be detainees at Lexington County Detention Center during the time period in question. As set forth in Plaintiffs' Complaint, Plaintiffs were allegedly made ill from the food prepared by the Defendant.

On April 10, 2019, the parties entered into a Settlement Agreement for this case; however due to the number of Plaintiffs in this action and given the fact most of them have since been released from the Lexington County Detention Center Plaintiffs' Counsel anticipates not being able to find everyone to fully execute this Settlement. Counsel for Plaintiffs has indicated that all

Plaintiffs were instructed to keep them informed of their current contact information upon release or transfer.

Given the above circumstances the Court therefore directs Counsel for Plaintiffs to complete the following process in attempting to locate each of the named Plaintiffs:

- (a) Gather and review all Documents housed at the Lexington County Detention Center concerning Plaintiffs last known address and contact information;
- (b) Search the South Carolina Department of Corrections electronic system for information concerning Plaintiffs current location;
- (c) Attempt to contact each Plaintiff via phone and letter at their last known address; and
- (d) Attempt to contact any known outside contacts of each Plaintiff via phone and/or letter.

In the event the above procedure is followed by Counsel and three months pass without contact from any of the above named Plaintiffs, those Plaintiffs who cannot be located may be dismissed from this action for lack of prosecution. Any portion of the settlement funds that were allocated to the dismissed Plaintiffs shall then increase the pro rata shares of the remaining Plaintiffs left in this action.

THEREFORE, the Court directs Counsel for Plaintiffs to follow the above outlined procedure in attempting to locate each of the named Plaintiffs and to file a status report every thirty days informing the Court which Plaintiffs have been located.

At the conclusion of the three-month period detailed above, counsel shall, if appropriate, file a motion to dismiss containing argument as why dismissal for failure to prosecute is appropriate for certain Plaintiffs and detailing the efforts expended to contact those Plaintiffs sought to be dismissed.

IT IS SO ORDERED.

Signed this 25th day of June, 2019, in Columbia, South Carolina.

/s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE